

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
TYLER DIVISION**

MICHAEL A. KENNEDY, #1516203, §
v. § Case No. 6:19-CV-207-JDK-JDL
§
DIRECTOR, TDCJ-CID, §
§

ORDER OF DISMISSAL

Petitioner Michael A. Kennedy, an inmate confined in the Texas prison system, proceeding pro se, filed the above-styled and numbered petition for writ of habeas corpus pursuant to 28 U.S.C. § 2254. Docket No. 1. The complaint was referred to United States Magistrate Judge John D. Love (Docket No. 2), who issued a Report and Recommendation (Docket No. 3) concluding that the petition should be dismissed without prejudice until such time that Mr. Kennedy shows proof that all of the sanctions imposed against him, either by the Fifth Circuit or any court within the jurisdiction of the Fifth Circuit, have been satisfied. A copy of the Report and Recommendation was sent to Mr. Kennedy on May 14, 2019, and the Court's docket reflects that Mr. Kennedy received the Report on May 20, 2019. Docket No. 4. The Report of the Magistrate Judge, which contains his proposed findings of fact and recommendations for the disposition of such action, has been presented for consideration, and no objections being raised by Mr. Kennedy to the Report, the Court is of the opinion that the findings and conclusions of the Magistrate Judge are correct. It is therefore

ORDERED that the Report of the United States Magistrate Judge is **ADOPTED** as the opinion of the Court. Docket No. 3. It is further

ORDERED that Mr. Kennedy's petition for a writ of habeas corpus is **DISMISSED WITHOUT PREJUDICE**. A certificate of appealability is **DENIED** *sua sponte*. All motions not previously ruled on are **DENIED**.

So ORDERED and SIGNED this 11th day of June, 2019.



JEREMY D. KERNODEE
UNITED STATES DISTRICT JUDGE